

SDNY (Rev. 10/2006) Pro Hac Vice Motion to Admit Counsel

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HEALTH INSURANCE Plaintiff,
PLAN OF NEW YORK,

- against -

AVENTIS Defendant.
PHARMACEUTICALS,
INC..

07 cv 6785 (HB)

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the

Southern and Eastern Districts of New York, I, David S. Nalven a member in good standing of
the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Edward Notargiacomo
Firm Name: HAGENS BERMAN SOBOL SHAPIRO LLP
Address: One Main Street, 4th Floor
City/State/Zip: Cambridge, MA 02142
Phone Number: (617) 482-3700
Fax Number: (617) 482-3003

Edward Notargiacomo is a member in good standing of the Bar of the States of
Massachusetts.

There are no pending disciplinary proceeding against Edward Notargiacomo
in any State or Federal court.

Dated: 9/14/2007
City, State: Cambridge, MA

Respectfully submitted,



David S. Nalven
DN-2374
HAGENS BERMAN SOBOL SHAPIRO LLP
One Main Street, 4th Floor
Cambridge, MA 02142
Phone Number: (617) 482-3700
Fax Number: (617) 482-3003

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HEALTH INSURANCE PLAN OF NEW YORK,

07-cv-6785 (HB)

Plaintiff,

-against-

AVENTIS PHARMACEUTICALS, INC.,

Defendant.

**AFFIDAVIT OF DAVID S. NALVEN IN SUPPORT OF MOTION
TO ADMIT COUNSEL PRO HAC VICE**

David S. Nalven, being duly sworn hereby deposes and says as follows:

1. I am a Partner of Hagens Berman Sobol Shapiro LLP, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Edward Notargiacomo as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice in March, 1989. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Edward Notargiacomo since 2004.
4. Mr. Notargiacomo is a Partner of Hagens Berman Sobol Shapiro LLP, in Cambridge, Massachusetts.
5. I have found Mr. Notargiacomo to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Edward Notargiacomo, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Edward Notargiacomo, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Edward Notargiacomo, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated: 9/14/07

City/State: Cambridge, MA

Notarized: Corinne Reed

Respectfully submitted,



CORINNE A. REED
Notary Public
Commonwealth of Massachusetts
My Commission Expires
Jan. 26, 2012

A handwritten signature in dark ink, appearing to read "DWN", written over a horizontal line.

David S. Nalven
SDNY Bar: DN-2374

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

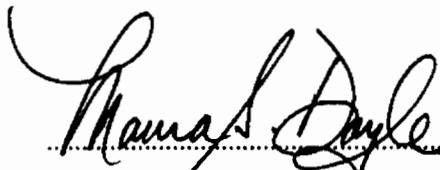
BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **twentieth** day of **December** A.D. **1994**, said Court being the highest Court of Record in said Commonwealth:

Edward Notargiacomo

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this **twenty-fourth** day of **August** in the year of our Lord **two thousand and seven**.




MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

EXHIBIT A

CERTIFICATE OF SERVICE

I, David S. Nalven, certify that the foregoing Motion to Admit Counsel Pro Hac Vice was served on September 14, 2007, on the counsel listed in the service list below by first-class mail.

Samuel J. Hand
JONES DAY
222 East 41st Street
New York, NY 10017-6702

Mark M. Sandmann
RAWLINGS & ASSOCIATES, P.L.L.C.
325 W. Main Street
Louisville, KY 40202

Richard Cohen
LOWEY DANNENBERG BEMPORAD
SELINGER & COHEN, P.C.
White Plains Plaza – 5th Floor
One North Broadway
White Plains, NY 10601-2310


/s/ David S. Nalven